

REMARKS

Applicants respectfully request entry of the following amendments and remarks contained herein in response to the Office Action mailed December 23, 2005. Applicants respectfully submit that the amendment and remarks contained herein place the instant application in condition for allowance.

Upon entry of the amendments in this response, claims 41 – 44 remain pending. In particular, Applicants cancel claims 8 – 10 and 14 – 19 without prejudice, waiver, or disclaimer. Applicants cancel claims 8 – 10 and 14 – 19 merely to reduce the number of disputed issues and to facilitate early allowance and issuance of other claims in the present application. Applicants reserve the right to pursue the subject matter of these canceled claims in a continuing application, if Applicants so choose, and do not intend to dedicate the canceled subject matter to the public. Reconsideration and allowance of the application and presently pending claims are respectfully requested.

I. Examiner Interview

Applicants first wish to express their sincere appreciation for the time that Examiner Appiah spent with Sam Zellner and Applicants' Attorney, Anthony Bonner during a discussion on March 7, 2006 regarding the outstanding Office Action. During that conversation, Examiner Appiah seemed to indicate that it would be potentially beneficial for Applicants to make amendments contained herein. More specifically, Applicants discussed canceling rejected claims to facilitate an expedited allowance of this case. Thus, Applicants respectfully request that Examiner Appiah carefully consider this response and the amendments.

II. Indication of Allowable Subject Matter

The Office Action indicates that claims 41 – 44 are allowed. Applicants sincerely appreciate the indication of allowed subject matter.

III. Rejections Under 35 U.S.C. §103

The Office Action indicates that claims 8, 9, 12, 15, 17, and 19 stand rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over foreign patent number GB 2,285,556 (“*Fernandes*”) in view of U.S. Patent Number 6,466,799 (“*Torrey*”). In addition, the Office Action indicates that claim 10 stands rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over foreign patent number GB 2,285,556 (“*Fernandes*”) in view of U.S. Patent Number 6,466,799 (“*Torrey*”) and further in view of Official Notice. Since Applicants cancel these claims without prejudice, Applicants submit that these rejections are now moot.

IV. Double Patenting

The Office Action indicates that claims 8 and 14 – 17 are rejected on the ground of nonstatutory obviousness-type double patenting as being allegedly unpatentable over claim 1 of copending U.S. Patent Application 11/048,132. However, Applicants cancel claims 8 and 14 – 17 and consider this issue moot.

CONCLUSION

In light of the foregoing amendments and for at least the reasons set forth above, Applicants respectfully submit that all objections and/or rejections have been traversed, rendered moot, and/or accommodated, and that the now pending claims are in condition for allowance. Favorable reconsideration and allowance of the present application and all pending claims are hereby courteously requested.

Any other statements in the Office Action that are not explicitly addressed herein are not intended to be admitted. In addition, all findings of inherency are traversed as not having been shown to be necessarily present. Further, any and all findings of well-known art and official notice, or statements interpreted similarly, should not be considered well known for at least the specific and particular reason that the Office Action does not include specific factual findings predicated on sound technical and scientific reasoning to support such conclusions.

If, in the opinion of the Examiner, a telephonic conference would expedite the examination of this matter, the Examiner is invited to call the undersigned attorney at (770) 933-9500.

Respectfully submitted,



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